

*James Campbell Esq  
with the author - best copy*

COLLEGE HISTORICAL SOCIETY,  
UNIVERSITY OF DUBLIN.

---

# “LORD BROUGHAM:”

An Essay,

TO WHICH WAS AWARDED

THE PRESIDENT'S GOLD MEDAL OF THE HISTORICAL  
SOCIETY.

---

SESSION 1868-69.

BY

ARCHIBALD J. NICOLLS, A.B., LL.B.,

DOUBLE MEDALLIST IN HISTORY;

BARRISTER-AT-LAW.

---

“ . . . . . Clarum et venerabile nomen  
Gentibus . . . . . ”

---

DUBLIN:

PRINTED AT THE UNIVERSITY PRESS,  
BY M. H. GILL.

1869.



73  
73875<sub>n</sub>

In Rec. May. 14, 25

TO

THE RIGHT HON. JOSEPH NAPIER, BART., D.C.L., &c.,

THE ZEALOUS PRESIDENT OF THE HISTORICAL SOCIETY,  
AND LONG THE INTIMATE FRIEND OF HIM IN WHOSE MEMORY IT HAS BEEN  
WRITTEN,

*This Essay*

IS,

WITH HIS PERMISSION,

GRATEFULLY DEDICATED,

BY

HIS OBLIGED SERVANT,

THE AUTHOR.

COLLEGE HISTORICAL LIBRARY,  
*August, 1869.*

p 49632



## “LORD BROUGHAM.”

---

“ . . . . . Clarum et venerabile nomen  
Gentibus . . . . . ”

---

A GREAT task is before us ; an undertaking of no ordinary type, if we would worthily honour the life and labours of the illustrious dead ! Truly, a noble theme is suggested by the words “ Lord Brougham ”—a name which seems like a voice of the past calling unto the present. To awaken a due appreciation of the immensity of his genius—to show how his words illustrated and reflected his actions, and how they, during a patriarchal life-time, were the exponents of his principles and convictions—to bring together and review some of the many pages of our history to which his name gives significance and permanent notoriety—all this, though earnestly to be desired, is more than the writer can hope to accomplish, and would require an energy and grasp of intellect the inheritance of few, and marking out those few as special agents for great works, endowed with fitting abilities to enable them to ensure their consummation.

To treat of the proficiency attained by Lord Brougham, in almost every branch of knowledge, is the greatest difficulty which opposes a biographer ; but if in history we find "Philosophy teaching by example," surely we may say that Brougham stands at a point whence many paths diverge—a guiding light to those who, encouraged to a noble effort by the example of the master-spirit that has traversed those paths before them, would explore the intricacies of any.

Humbly, then, we would commence our work ; not presumptuously aspiring to the highest success, but anxious that our task be not, in its completion, an unworthy tribute to the memory of him whose life we are about to review ; that our voice, too, may be heard proclaiming that great men live for ever in their deeds, and can have no nobler monument than that which their own genius has erected.

Henry Brougham was born in September, 1778, in the quarter of Edinburgh known as the Cowgate, and was the eldest son of a Westmorelandshire gentleman of moderate property, who proudly traced an honoured descent from the Anglo-Saxon period of English history. Physiologists tell us that in every country those men who were the giants of their age inherited their most striking intellectual faculties from their maternal ancestors ; a theory fortified, to a certain extent, by many great examples, but never placed beyond the reach of doubt. Without, however, expressing an opinion upon this de-

batable scientific question, we may remark that Brougham's mother was niece to the historian Robertson, a man of wondrous mind, whose name is inseparably linked with those of Hume and Gibbon, and who is honoured with a foremost place among the ranks of Scotland's best-remembered sons. It is interesting to read how young Brougham was the favourite companion of Robertson in his daily walks; a privilege which the boy valued dearly, and often enjoyed; and who can doubt that his early intercourse with such a travelled and cultivated mind was powerful for good in moulding the genius and in forming the noble character of the future statesman.

At a very early age he began to attend the High School of Edinburgh, where no evidence of extraordinary talent was displayed by him, nor, on the other hand, was he one of those demure boys who, as Falstaff says, "never come to any proof." When we remember that, about the same time, Scott and Jeffrey were pupils at this institution, the belief grows to conviction that a sound and useful system of education was there pursued, and that the germs of future greatness were carefully developed in the healthy intellectual atmosphere which circulated round its young *alumni*. At the age of fifteen he passed to the higher paths of learning, and, in the University of Edinburgh, commenced those sterner studies which challenge the energies of youth, calling them on to new struggles and greater victories,



and training the heroes of these mental conflicts for the wider field and more formidable foes that await them in the battle of life. Here he gave ample promise of the energy and ability which marked his future career, his first effort being a valuable paper on the "Flection and Reflection of Light," which he forwarded to the Royal Society, and which was deemed worthy of publication in the "Transactions" of that learned body. At this time, too, he carried on a spirited correspondence in Latin with some of the most celebrated scientific scholars of the continent. He pursued the curriculum of the University with great diligence and success, his sturdy intelligence loving to grapple with the mysteries of the natural and mathematical sciences. He must also have read and studied with eager industry the ancient and modern classics, for we know that the beauties of Demosthenes and Cicero, the sublimity of Milton, and the impressive grandeur of Dante were all unrolled before the youthful student.

The year 1797 was an important one for Henry Brougham, the future orator, for in this year he was elected a member of the celebrated "Speculative Society" of Edinburgh, where the choicest spirits of the rising generation were wont to meet, prepared to debate with earnestness and keen contention the important questions of the day, giving and receiving many hard blows in the collision of intellects, and forging for themselves a mighty weapon, powerful either for attack or defence, in the sterner combats



of real life. In 1800 he was admitted a member of the "Society of Advocates," and, after spending some months profitably upon the Continent, studying the many-volumed book of human nature, he settled in Edinburgh to commence the practice of his profession. There is no royal road for those who would achieve solid distinction in any department of the law; and we know that Brougham had been making himself familiar with those principles which are the only safe pilots in the wilderness of conflicting decisions; that he had been drinking deeply at the purest fountains of the Law—those sources whence it issues, clear and limpid, before diverging in a hundred different directions. At the same time the labours of his profession were far from fully occupying him, and his active mind yearned for constant work; he seemed never to relax the bow, and accordingly we find him entering thoroughly into the views of those who started the "Edinburgh Review" in 1802. Most people are familiar with the story of the undertaking, as told by Sydney Smith: how Brougham and he happened to meet one day at the humble lodgings of Jeffrey, and how the three, then and there, arranged the scheme of the "Review," adopting the well-known motto from Publius Syrus in preference to that humorously suggested by the great divine: "*Tenui musam meditamur avenâ.*" The list of contributors was soon swelled by the names of Horner, Allen, and Scott; but, in the words of Jeffrey, "Brougham did more for us than anybody."

Many other young men offered their willing aid, anxious to show how skilfully they could handle the lash of criticism, and eager to disseminate opinions far in advance of those generally accepted at the beginning of the present century. Brougham was indefatigable at his self-imposed task, and it is beyond dispute that almost the entire of the eighteenth number was written by his pen. Down to the year 1828 he continued to be a frequent contributor; it seemed mere recreation to him to dash off elaborate articles, and an idea of his industry is given by the fact that his papers would, if collected, be found equal in bulk to fifteen of the volumes. In 1808 appeared a caustic criticism upon Lord Byron's writings, which the great poet affirmed carried with it ample evidence of being one of Brougham's venomous bites, and which called forth his famous satiric retort : —  
“English Bards and Scotch Reviewers.”

In 1813, Brougham published his “Inquiry into the Colonial Policy of European Powers;” and as it was one of the foundation-stones of his future greatness, and brought him at once prominently and favourably before the public, we may here sketch its most striking features. His subsequent works having been extremely numerous, it is proposed to defer the enumeration and consideration of them until the more active labours of his life shall have been pointed out. The “Inquiry” commences with an interesting and detailed account of the different systems of colonization pursued by

the nations of antiquity, and of the relations—social, political, and commercial—which subsisted between the colonies and the mother-country; and the author throws out (especially with respect to commerce) many suggestions, then entirely novel, but the soundness and expediency of which political economy has since entirely borne out. He shows, in a masterly manner, why it was that in the first ages of history the great endeavour of kings and law-givers was to train up a nation of warriors, instead of a people wedded to more gentle pursuits; he points out the consequences of this, and then proceeds to show how effectual civilization has been in holding out the noblest ends to the ambition as well of nations as of individuals. He next examines the colonial policy of England, Spain, France, Portugal, Denmark, and Sweden, and his treatment of the subject is lucid, orderly, and comprehensive, to a degree rarely equalled. The volumes sparkle throughout with originality of thought, cogency of reasoning, and fertility of illustration; his generalizations are grand, in most instances sound, and, after considering the effect which the foundation of a negro commonwealth in the West Indies would have had upon the colonies there, considered as sources of revenue to the mother-country, he proceeds to discuss the policy of employing free negroes to develop the resources of tropical colonies. He advances convincing arguments against slavery, and denounces the traffic

as a "crime of the worst nature," opposed to every principle of justice, and inevitably tending to plunge human nature into the lowest depths of degradation. Such were his views; and while language continues to be the exponent of thought, the pages of the "Colonial Policy" will remain a stern contradiction to the slanders of those who asserted that Henry Brougham, in his early years, had advocated slavery, or had, at least, regarded it as a necessary evil. Advancing knowledge has revealed many errors in the pages of the "Inquiry," but still it was a very remarkable work; and breaking, as it did, upon the thinking world like a brilliant meteor, the eyes of Europe turned northward in admiration and astonishment, and then found that the illuminating ray proceeded from the country which was already celebrated as the birth-place of Hume, Cullen, Black, and Adam Smith.

In 1807, Brougham won for himself ringing applause by most ably pleading the cause of Lady Essex Kerr, at the bar of the House of Lords, in the famous "Roxburgh Peerage Case," the first of the series of *causes célèbres* in which he took a prominent part. His success gave him increased confidence; and, spurred on by laudable ambition, he took a bold resolve—crossed the Border, settled in London, and was called to the English Bar by the Honourable Society of Lincoln's Inn. It is impossible to say how much of his future success hinged upon this step; for, although his ability and perse-

verance would have won for him eminence in any country, still his talents could not have had full swing in the Scottish Courts; so that, by applying it to Brougham, we may ennoble that passage in which Pindar addresses the Olympic champion, and reminds him that his splendid triumph could not have been achieved had he remained for ever in his native land.

He again appeared at the bar of the House of Lords in 1808, in support of the petition of the London, Liverpool, and Manchester merchants, praying for the repeal of the "Orders in Council," which had been issued by way of retaliation for Napoleon's "Berlin decrees." During five hours he held the attention of the law lords fixed upon the eloquent argument in which he described the disastrous results that would follow if such restrictions were placed upon commerce. This display of talent, although not crowned by immediate success, considerably increased his professional reputation, and, at the same time, gained for him immense popularity; so that his patron, the Earl of Darlington, evinced a wise discretion in returning him to Parliament, in 1810, as member for the borough of Camelford. Abuses creep in almost everywhere; and, unfortunately, some boroughs have been, and still are, only dens of political intrigue and corruption; others, however, have done good service, by affording an easy way of introducing young men of talent into Parliament; and



Brougham was one of the many statesmen whose careers justified Sir Robert Peel in urging as he did the impolicy of disfranchising all borough constituencies.

When people look anxiously forward to the realization of high hopes, it often happens that their anticipations are doomed to partial disappointment; and it was so with those who had been eagerly expecting Brougham's maiden speech before the "first assembly in the world." The occasion was Mr. Whitbread's motion questioning the propriety of Chatham's conduct in secretly transmitting to the king his narrative of the expedition to the Schelde. Brougham's speech was sound and pointed, and earned a high eulogium from Mr. Adams, but it was not a display of eloquence; it was the speech of a deep-thinking constitutional lawyer, of a man addressing the reason of his hearers, and not of an orator anxious to win empty applause by blatant rhetorical declamation. Consistently with the principles enunciated in his "Colonial Policy," he allied himself with Wilberforce, Clarkson, and the other advocates of abolition, and in 1810 laboured earnestly and manfully to devise some effectual means of checking the accursed system of traffic in human beings. The "Abolition Act" of 1807 was, practically, a dead letter; but the powerful appeal of Brougham against the gigantic evil was instrumental in causing a unanimous Parliament to adopt an address to the

king upon the subject. When we hear eloquence exerted in such a cause, we feel that it is a choice gift of Heaven confided to a few in trust for all mankind. This speech is considered by competent judges to have been one of Brougham's noblest and best-directed efforts, and the secret of its success was his knowledge of human nature, and the deep earnestness that winged his words. He knew that moral force is often powerful where physical prowess would have been exerted in vain. Immediate legislation was impossible; but his satisfaction must have been deep and heartfelt when, in less than a year, his bill became law, and the slave trade was proscribed as a transportable felony.

About this time, also, we find him spreading thoroughly sound economic views respecting the currency, and assisting to scatter to the winds the remnants of the old "Commercial System," which had long weighed as a nightmare upon the bosom of European nations. During the session of 1811 he took a prominent part in the debates on army flogging, Catholic Emancipation, and the monopoly of the East India Company, while he was also winning the coveted laurels of acknowledged professional success. By his defence of the Hunts (the talented editors of the "Examiner")—who were prosecuted for a trenchant article upon the system of flogging in the army—he greatly increased his reputation as an advocate. He procured their acquittal; but in the same year they



laid themselves open to another prosecution by a libel upon the Prince Regent, and Brougham's ability failed to shield them a second time. His zeal sometimes got the better of his prudence, and it did so upon this occasion; for, in several allusions to the prince, his language was most unguarded; and, later on, at the trial of Queen Caroline, the severity of his strictures upon the early life of George IV. was only equalled by the truth of the charges so boldly made.

In 1812 he again appeared before Parliament to urge the repeal of the "Orders in Council"—a question on which he was peculiarly competent to speak. His arguments were arrows barbed with reason and winged by eloquence, and they sped to their mark with unerring aim and truly powerful flight. His brilliant efforts were partially successful, for a committee was appointed to inquire into the condition of trade and manufactures; and the obnoxious "Orders" were at length repealed, so far as they interfered with our American commerce. The high order of talent displayed on this occasion procured for him an invitation to stand for the representation of Liverpool: he did so, but was defeated by Canning after a spirited contest. He immediately sought to be elected for the "Inverkeithing district of Scotch boroughs," but, fortune again frowning, he disappeared for four years from the political horizon. Full many a time, during this comparative retirement, were his harsh accents

heard echoing around the courts, powerfully urging the cause of his clients, and maintaining his propositions with equal ability and address. He never lost an opportunity of flinging a burning brand of sarcasm amongst those who had unwarily stirred up his rugged, surly temper. Lucrative business attended him upon the Northern circuit, where he already followed closely upon the acknowledged leader, Sir James Scarlett, afterwards Lord Abinger. In 1816, Brougham re-entered Parliament, having been returned for the borough of Winchelsea by his staunch friend the Earl of Darlington; and this event was, in truth, the real commencement of his useful public labours. His gigantic intellect, shaking itself free from every conventional trammel that could impede it, boldly faced a hundred foes; the industry, the energy, the success of many men, seemed centred in him, or rather, he seemed to multiply himself to meet the exigencies of the hour. It was his quality of resolute perseverance that enabled him to procure from Parliament the passing of so many remedial measures, for his uncouth appearance and bluntness of manner could never gather round him "troops of friends," while his stubborn spirit could hardly brook honest opposition, much less wilful obstruction; besides, he could not urge his views with that winsome eloquence which adds so much, in the estimation of many, to the efficacy of all argument. In a word, never before was style so faithful an index to character as in

the case of Henry Brougham—*brusque* and obstinate, but withal, honest and uncompromising.

Looking to the general character of the measures which he advocated, while we might, personally, be inclined to express dissent from a few, we right willingly accord to the majority the poor tribute of our praise; nor can we but admire the zeal and courage which he displayed in pursuing the path to which his conscience pointed. None can say that he belonged to that "*Pessimum hominum genus, laudatores,*" or that his professions and convictions were ever antagonistic. An earnest reformer wherever he found abuses to exist, he was at the same time truly conservative in guarding from invasion those noble principles which have proved the safeguards of British liberties, and which have excited the admiration and pardonable envy of every civilized nation.

No man in the House spoke more frequently than Brougham did; and it is by no means easy to single out his best effort during the years from 1816 to 1830; but even now, when the lapse of time and the existence of a better order of things have left us unable to see and feel as the statesmen of a past age saw and felt, the heart kindles and enthusiasm awakens when we read his speeches on Catholic emancipation, the education of the poor, the poor law, repeal of the corn laws, and Parliamentary and law reform. Even were he previously unknown to fame, his speech, when moving, in 1817,

for a committee to inquire into the state of Education among the poor of London, would have proved a monument nobler than any "storied urn" which could remain to posterity. His energy was very different from the "blind activity of idleness;" and in less than a month he laid upon the table of the House the report of the committee, of which he had been appointed chairman. Truly, expedition was needed, for the report showed that in the richest city of the world no fewer than 120,000 of the children of the poor were growing up without receiving even the most elementary education! Here was an extensive field of labour for a philanthropist; here was raw material in abundance, ductile for good or for evil :

"Wax to receive, and marble to retain;"

but with no other prospect than to be slowly hardened into confirmed malefactors and degraded felons. It is difficult to realize the fact that such a state of things existed in England during the present century; but we sincerely hope that the report has called forth energetic action, and that now, in the world of London, the "annals of the poor" and the diminished criminal calendar are the very best comment on the utility of Brougham's committee. In 1818 he moved for an inquiry into the "Abuses of the public Charitable Foundations of the Kingdom connected with Education;" and the labours of the committee selected for this task have been followed

by wholesome and permanent results. It was in the same year that he addressed to Sir Samuel Romilly—then almost upon his death-bed—a powerful and exhaustive letter upon the “Abuses of Public Charities.”

Fearful of incurring the charge of prolixity, it seems pardonable to pass over the year 1819 by saying that Brougham took a prominent part in most of the important discussions which then arose in Parliament. Coming to the year 1820—one of the most momentous in the long public career of the great statesman—we find that the Parliamentary history seems epitomized in the famous trial of Queen Caroline. Difficulties spring up around the pen that would describe the particulars of this proceeding; for history tells of a queen whose fair fame was challenged; of an advocate whose living eloquence awoke in her behalf a degree of enthusiasm almost unknown to English breasts; of a nation breathlessly awaiting the decision which was either to establish the innocence of its idol, or, tearing off the queenly insignia, proclaim her to be one who had forfeited the honour which woman should hold dearer than life itself. Were it our duty to inquire here into the charges against the Queen, to canvass the merits of her defence, and to examine the motives of her accusers, our task would demand the exercise of the most cautious discretion; but passing by all those inquiries as being foreign to the matter in hand, and discrediting, in the most solemn manner,



the insinuation that Brougham had, from sordid personal motives, urged the Queen on in the course she had adopted, we can confine ourselves to the pleasing consideration of the manner in which he discharged the duty confided to him. From the year 1816 Brougham had been the Queen's legal adviser, and he was appointed her Attorney-General in 1820, when she determined to return to England. The labours of the celebrated "Milan commission," and the fruitless efforts to arrange a satisfactory compromise, are well known, and the next important date is the 5th July, when a "Bill of Pains and Penalties" was brought in by Lord Liverpool. The trial was protracted, and it was not until the 3rd October that Brougham (who was ably assisted by Mr. Denman) delivered his magnificent speech for the defence. For hours his hearers hung upon his lips, and the great genius of the advocate, shining forth in every sentence, appeared transcendently in some passages—such, for example, as that in which he commented on the oft-repeated answer—"non mi ricordo"—of one of the Italian witnesses. The plan of the defence was admirable, and it is difficult to decide whether more praise is due to Brougham for what he said or for what he left his hearers to conjecture. It was a noble specimen of eloquence; close reasoning, brilliant illustration, happy metaphor, and withering sarcasm, being blended in a manner that gave to the entire speech a degree of dignity and power that has been rarely equalled,

even by the ancient orators. Before passing from this subject, it will be interesting to record his anxious efforts that the speech should be worthy of the occasion ; and our remarks as to this will naturally lead up to the consideration of his " Address" when, in 1825, he was elected Lord Rector of the University of Glasgow, and of his " Dissertation upon the eloquence of the Ancients," published in the year 1838. If his great speech in vindication of the unfortunate and foolish queen was not Attic in style, it was at least Doric in strength, and he has recorded that his preparation consisted principally in diligent study of Demosthenes for a period of some weeks, and that he revised and re-wrote, at least ten times, the grand and heart-stirring peroration. The ancient Greeks and Romans paid particular attention to the cultivation of a pure and forcible style ; thus Cicero, in his treatise, " De Oratore," advises those who would learn to speak in the language of convincing eloquence to take some classic models, and, after careful study, to transcribe them diligently and laboriously, until at length a groove is formed in which the current of our thoughts may smoothly flow. In younger days Milton recommended the study of the " famous ancient orators," and Brougham, by his example, gives point to the precept. Taking Demosthenes as *his* model, he has followed so faithfully in the footsteps of that illustrious master, that in some of his most celebrated speeches we often seem to catch



an echo from the greatest orator of the age of eloquence.

There are two extremes which should be carefully eschewed, both in writing and in public speaking, namely, needless prolixity, and too great a degree of condensation; and it not unfrequently happens that men, in their desire to escape either of those faults, fall into the other, not less grievous:

“*Incidit in Scyllam qui vult vitare Charybdim.*”

Brougham has been sometimes accused of diffuseness, but we cannot find that the charge is warranted even by his most abstract writings; and here, if anywhere, he would be tempted to theorize, and expose himself to the danger of being entangled in the intricacies of speculation. In many instances he has preferred repetition rather than risk the clearness of his argument, knowing full well that if, in cooler moments, reason is to sanction the applause which eloquence can always evoke, something more is necessary than merely to excite the ready enthusiasm of our hearers. This being so, the discretion of each man must be his guide, and surely Brougham never incurred the “woe” that has been pronounced against him “who says everything that can be said.” At the same time, it is not always easy to be brief without sacrificing perspicuity.

“*Brevis esse laboro, fio obscurus.*”

There is a certain degree of condensation beyond which labour would be ill-bestowed; and, while

Brougham does not habitually approach this limit, he never degenerates into a style either vague, diffuse, or unconnected.

Too often has a conqueror's brow been decked with laurels dimmed by tears or blood ; and he who can boast the nobler victories of moral power rests his head more securely upon his nightly pillow. Therefore it is that we dwell particularly upon the honour paid to Brougham when, in 1825, he was elected Lord Rector of Glasgow University. This was no paltry triumph, to be soon forgotten, for Sir Walter Scott contended with him for the prize, and each found equal support. Under those circumstances, defeat would have been honourable for either ; and the casting vote of Sir James Mackintosh at length inclined the even balance in favour of Brougham. His inaugural address on "The study of the rhetorical art, and the uses to which proficiency in this art should be made subservient," was brilliant, learned, and refined ; yet we know that it was penned during the uncertain moments which he was able to snatch from his labours on the Northern Circuit. We may truly say that with him knowledge was not "a rude unprofitable mass," but a rich fund, ready to be made available at any time in the cause of religion, science, or literature. In this "Address" he strongly discountenanced purely extemporaneous speaking, referring to the fact that Demosthenes was always most unwilling to appear in the *ἐκκλησία* except after suitable preparation. He dis-

tinctly asserts that, *cæteris paribus*, a man will speak well in proportion as he has written much; and he declares that the noblest use of rhetoric is to aid in rescuing the people from ignorance and vice. How fully he himself exemplified this will be felt by all who have read his numerous and eloquent speeches upon the Education of the Poor.

In 1822 he delivered a speech of consummate ability in defence of a man named Williams, who was prosecuted for libel; and in 1823 his name was honourably connected with the foundation of the "London Mechanics' Institute," in which good work he was the able and zealous colleague of Dr. Birkbeck. This undertaking has proved a fruitful mustard seed, for now the spreading branches of a firmly rooted tree afford luxurious shade. No doubt many internal improvements could be suggested; but, on the whole, those institutions have done much to make order and law generally respected, for the docile intelligence of the people will always keep pace with the educational opportunities afforded them. In the same year Brougham gained much applause by the splendid ability of his speech when bringing before the House the fate of the missionary Smith, in Demerara. To be brief, the facts were simply as follow:—Smith, being suspected of having urged the slaves to revolt, was tried and convicted in a very summary manner, and expired in prison, while under sentence of death. The love of justice, generally attributed to Englishmen, seems to have been

here at fault ; and many were disposed to think lightly of the matter, saying, " after all, it was only a missionary." But Brougham threw himself heart and soul into the case ; called on the resources of his fervid eloquence, appealed to the highest principles of justice and morality, and spared no exertion that this crying deed of iniquity might be dragged into the full noon of condemning light.

In the " Dissertation on the Eloquence of the Ancients," he says that oratory was more highly prized by them than it is now, or ever shall be again ; and this is, probably, true ; for cheap printing and daily newspapers have worked a great and bloodless revolution. It is no longer necessary that the people should, as formerly, crowd around the orator ; men are now swayed by *ideas*, which they think out and elaborate for themselves, and they are not to be led away, as were the Athenians and Romans, by well-modulated accents or graceful purity of style. From internal evidence Brougham concluded that the Greeks preserved their speeches in a form much more condensed than that in which they had been delivered ; and Burke was of the same opinion, for he said that even an Athenian audience would fail to follow the rapid argument which we find in the written speeches of Demosthenes. After enumerating the principal points of difference between ancient and modern oratory, Brougham proceeds to some subtle criticism on several peculiarities which abound in the great

orations that have come down to us. He compares the many passages which are found almost word for word in two or more speeches, contrasting especially the fourth Philippic and the celebrated Chersonese oration. Adverting to the fact that five of the seven speeches against Verres were never delivered; and examining the ΠΡΟΟΙΜΙΑ of Demosthenes—which were not composed for any occasion in particular—he draws general inferences as to the extremely artificial texture of the Greek orations, and the vast amount of pains bestowed upon their composition.

He introduced a bill for the incorporation of the London University, and, about the same time, was instrumental in founding the “Society for the diffusion of Useful Knowledge,” which consulted its best interests in electing him as its first President. Truly,

“Peace hath her victories,  
No less renown’d than war,”

and the rapid spread of knowledge among the lower classes is a noble triumph of Christianity over ignorance, idleness, and vice. Brougham seems to have taken, as one of his guiding mottoes, “*Vita sine literis mors*,” and he found time, amid the labours of the Parliamentary Session of 1827, to compose an admirable treatise upon the “Objects, Pleasures, and Advantages of Science.” We may occasionally remark in men of genius a versatility of talent, which makes them conspicuous in



the high position they adorn. Thus, Fearne, the author of one of the most profound law books ever published, wrote an essay on the Greek accent, and took out a patent for dyeing scarlet; and in the same spirit of inquiry, Brougham had traversed many of the branching paths of knowledge, making himself familiar with the material and moral beauties of the universe. Again, in some men, we may admire one of nature's favourite compensating arrangements. With talents of an inferior order, they combine a degree of earnest application which supplies the place of more shining ability; but Brougham, with rare mental qualities, possessed also an active industry which few men can boast of. His talents were capable of being utilized in any direction; he was one of the few originals in the picture-gallery of history; he was the type of himself, wonderful for the variety, and still more so for the accuracy of his knowledge.

In the same year his professional merit was rewarded by a call to the Inner Bar; a tribute which his acknowledged ability could have obtained long before, but for the part he had taken in the trial of Queen Caroline, and the heavy blows he had dealt to the personal character of George IV. as Prince Regent. Many a time, too, had he heartily abused Canning, the only man of the day who could contend with him on equal terms; but when that great statesman formed a government in 1827, Brougham, thinking he discerned the outline

of a generous and sincere state policy, determined to give to ministers his zealous and disinterested support.

His speech on "Law Reform," delivered in 1828, calls for unqualified admiration. It was a magnificent display of genius; and won for him the willing applause, both of those who thought they saw in him the rash zeal of an innovator, and of those who joined heartily with him in desiring a radical reform of our legal procedure. Truly, none can withhold praise from the moral courage which led him to so great a labour, regardless of all opposition, and heedless of all threats: his scheme was most comprehensive; nor is it evident that one unworthy motive sullied the purity of his design. He has himself laid down, that the test of a great man is his being in advance of the age; and it could not be expected that Parliament would have, entirely and at once, concurred in his views. Many of his proposals were modified; many were accepted without any change; while very many were rejected altogether, but only to be brought forward in later times, and adopted by other Parliaments. He urged the appointment of a public prosecutor; and exposed lucidly the grievous defects of the Welsh judicature—which had occupied the attention of Parliamentary committees in 1817, 1820, and 1821. Under this system (which dated from the 34 & 35 Henry VIII., cap. 26) the Welsh courts were only in operation for thirty-six days in each



year; except upon those days the Judges were free to practise, and they were allowed to occupy seats in parliament. The sense of the House went entirely with Brougham, and to Wales was soon extended the uniform administration which had made justice so well beloved in England. He suggested many useful changes in the system of pleading, in the law as to debtors and creditors, as to the reception of evidence, and in the law of libel. The mantle which had descended from Bentham to Mackintosh, and from him to Romilly, seemed to have fallen around Brougham; and nobly did he undertake the work for which their labours had been a fitting preparation. Pointing towards the heights yet to be gained, he bade his hearers gird themselves for their task, and earn the gratitude of posterity by leaving the law "a living letter, the inheritance of the poor, the staff of honesty, and the shield of innocence."

In 1829 he spoke in support of Catholic Emancipation, and voted for the relief bill brought in by the Duke of Wellington's government. The next year he delivered a powerful and convincing speech against the slave trade, which procured for him an invitation to represent Yorkshire in Parliament. He did come forward; and was returned in a manner that must have been most flattering to him, as it amounted to an entire approval of his active public career. In the next session he lost no time in announcing his programme of reform; and Earl

Grey led the van in the Upper House. One clause proposed the establishment of county courts, and Brougham laboured anxiously to have them created, but the plan was not carried out for many years afterwards. It is not easy to estimate the advantage of cheap and speedy tribunals to people so much absorbed in the pursuits of commerce as are the English ; but some idea of their utility may be formed from the fact, that in the year 1867 nearly one million complaints were filed in these courts. No doubt the system has still many imperfections, and it seems advisable that a suggestion lately made should be adopted, viz. that the tribunals should be made more self-supporting, by consolidating the courts in those districts where the fees received are very much less than the expenses. Household suffrage was also proposed, but this advanced concession was reserved for a year, which shall long be memorable in parliamentary history. Ministers being defeated on the question of the civil list, and the Duke of Wellington electing to resign, Earl Grey was summoned by the king. A brief period after suffices to work great changes in a political situation, the relative position of things shifting as in a kaleidoscope; and of this we find a striking example in the conjuncture of circumstances now under consideration. On the 16th November, 1830, the Duke of Wellington resigned ; on the 22nd Brougham was sworn in Lord High Chancellor of England, and, on the following day, became a peer

of the realm, with the title of "Baron Brougham and Vaux." People hardly realize the fact, that the late member for Yorkshire, who had declared his anxiety to retain that position, was actually seated in the House of Lords, and presiding over the debates therein ; that the great reformer, the man who had so thoroughly identified himself with the people, was suddenly transported into the midst of those who love to count their twenty ancestors. His character for consistency has suffered severely in the eyes of some, by reason of his conduct at this time ; but it seems to us, looking alike upon Trojan and Tyrian, that censure has been too freely bestowed. Upon careful consideration of all the circumstances, it is quite possible to reconcile his acts with his previous professions. It is true he had declared that no change in the government could affect *him*, and that, come what might, his efforts for reform would be in no degree relaxed. However, all this is quite consistent with his assertion that, thinking he was still far from the woolsack, his declaration did not extend to, nor exclude, the honour which was thrust upon him. He avers that he accepted the office, not dazzled by its splendour, but because it afforded a field of more extended exertion ; and Earl Grey gives as his testimony that most urgent appeals had to be made before Brougham would accept the custody of the great seal. This coincides with the view taken by Mr. Roebuck, in the "History of the Whigs," his opi-

nion being, that Brougham accepted the chancellorship because refusal would have destroyed his own chances of future usefulness, and would have thoroughly paralyzed the Whigs upon their return to office after such a lengthened exclusion.

On the day when he was sworn in as chancellor he laid upon the table of the House of Lords a comprehensive plan of law reform ; and the contrast sketched by Sydney Smith between the indolence of Eldon and the activity of the new chancellor can hardly be said to be overdrawn. The Bankruptcy Act, known as the 1 & 2 Wm. IV. cap. 56, was the first fruit of his labour in the new arena ; and now, indeed, were shown forth his energy and determination in surmounting unforeseen obstacles, and in triumphing over well-concerted opposition.

Brougham and Earl Grey took charge of the reform bill in the Upper House, as did Lord Althorp and Lord John Russell in the Lower ; but it was opposed by a hostile and daily increasing majority, and there was no choice left except between resignation and dissolution. With the history of the period lying before us, it is difficult to believe that we are reading of proceedings in the English Parliament, and almost in our own generation ; and, if it be true, the story which is told of Brougham's share in the *coup d'état* which paralyzed the opposition by a sudden dissolution is indeed most strange. A new parliament assembled, but a majority of the Lords frowning still upon the bill, ministers had to resign.

The Duke of Wellington tried to form a Cabinet, but failed ; and, Earl Grey being recalled, it was determined that the bill must pass,

“ *Aut viam inveniam, aut faciam.*”

Grey and Brougham obtained from the King a written permission to create as many new peers as would preserve the measure from defeat ; the plan was successful, nor was it necessary to carry it into execution : the non-contents were vanquished, and the bill became law. It is impossible not to admire the ready tact of Brougham in the midst of those difficulties ; but, even if his acts were strictly constitutional, he seems to have outstepped the limits of prudence ; and certainly a precedent bad in itself does not change its nature because it happens to be attended with success.

It may here be mentioned, as a fact redounding to the honour of the legal profession, that nearly ninety British peerages have been founded by lawyers, and many of those lawyers, to their immortal credit be it told, were “ *novi homines* ;” men of obscure and humble birth ; so true it is that, in a free country, genius is certain to shine forth at last, and, being perceived, to command the respect and acknowledgment which it so justly claims. However, there will always be found men prompt to reward industry with a sneer ; ready to pull down to a lower level those who have laboriously piled the monument of their own greatness, and Brougham was



not exempt from this ungenerous criticism. Many hinted their fears that he, who had been best known in the courts of common law, could hardly give satisfaction when presiding over a court of equity. But although he never had enjoyed much chancery practice, he had not lived so unprofitably as not to have mastered the great principles which are regarded in equity; and those who predicted failure little knew the self-reliance and the "*vivida vis animi*," which made labour easy to this extraordinary man. His unwearied diligence and wonderful economy of time enabled him to achieve a splendid triumph, and, by sitting for eight hours each day, he was able to hear one hundred and twenty appeals which had not been disposed of by his predecessor. Integrity, "the portion and proper virtue of a judge," seems to have ever been beloved by him; and when leaving office, in 1834, he had the satisfaction of knowing that he did not leave a single case unheard, or a single letter unanswered.

Lord Melbourne accused Brougham of having given systematic opposition to his government; but reference to the pages of "*Hansard*" shows that the charge was without foundation, that Brougham continued to give Melbourne's ministry his generous support long after he had ceased to be chancellor, and that he had not any serious rupture with them until, in 1837, he felt bound to dissent from their Canadian policy. After the year 1834 he was not again in office, but he continued to be most useful

as a law lord. At this time, too, he was elected a member of the "French Institute," and he was also chosen one of the five foreign associates of the "Academy of Sciences" at Naples. His fiery nature seemed to have at last toned down a little ; and if his position was less elevated than that which he had lately occupied, it was, for this very reason, more sheltered from the gusts and storms of party strife.

In 1841 his "Insolvent debtors' bill" became law, and in 1844 he was elected the first president of the "Law Amendment Society," which was then established, mainly through his laudable exertions. For some years before 1846 he advocated the repeal of the corn laws, while, at the same time, he lost no opportunity of denouncing the anti-corn-law league as unconstitutional and illegal. Both in the House and out of it he spoke upon this important subject, convinced that when parliament and people would have thoroughly learned the economic principles which apply to the question, Public Opinion would sweep from the statute-book those protective laws which previous generations had regarded as essential for the national welfare. He resumed his early exertions in the cause of education, and was one of the founders of the "Social Science Association," of which he continued president until a very late period of his life. We can all remember the Dublin session of 1861, when the "old man eloquent" delighted his hearers with a most varied address, re-



plete with learning, characterized by dignity and good taste, and opening up many new social problems, the solution of which he could not hope to live to witness. In 1860 her Majesty, anxious to acknowledge distinguished public service, and especially his labours in the cause of education, and for the abolition of the slave trade, granted to Brougham a new patent of peerage, with remainder to his brother William. This was an honour almost unprecedented, the case of Lord Nelson being the only other instance where such an exceptional favour was conferred upon a British subject. It was in the same year that he received from the University of Oxford the degree of D. C. L., an honorary distinction never conferred except upon the most eminent literary men. He paid a feeling tribute to the memory of one of his greatest contemporaries—Lord Plunket—when in 1863 he wrote an introductory preface for an improved collection of the speeches of that great lawyer and orator, being proud to contribute his personal recollections for the abiding benefit of those who know how to read history aright. In 1866 he resigned the presidency of the Social Science Association, and thus was dissolved the last link that bound Henry Brougham with the great men of the present day.

In the preceding pages, frequent reference has been made to many of the literary works of Lord Brougham; but some of them now demand at our hands a separate and more careful consideration.

This is a difficult undertaking ; firstly, on account of the variety of subjects to which his active mind was successively directed ; and, secondly, by reason of the length of time over which this continued activity extended. It is said that Michael Angelo stands alone in having reached the highest point of excellence in two distinct professions ; and it seems to us that praise somewhat analogous to this attaches to the memory of Brougham ; for he claimed many studies as his own, and attained distinction in numerous branches of human knowledge. Lucilius used to boast that he could write two hundred lines within an hour ; and, in later times, Lope de Vega loved to say that his books had grown to the number of sixteen hundred ; but the pen of each far outstripped his thoughts ; the dust gathers undisturbed upon the bulky volumes, and the very names of the authors are now scarcely remembered. With Brougham the case is different ; his writings were voluminous, but they bear the stamp of genius, and carry with them the evidences of patient thought and well-considered labour.

We have already referred to his "Colonial Policy," published in 1803, and admitted to have been a wonderful work for so young a man as Brougham then was. His contributions to the "Edinburgh Review" were frequent from 1802 until 1828, and constitute a series of interesting articles upon a great variety of subjects. In 1835, he brought out a valuable edition of "Paley's works,"

and soon afterwards published a "Dissertation on Subjects of Science connected with Natural Theology." He argues powerfully in defence of natural and revealed religion ; reasoning inductively, from facts up to the most abstract principles, and leaves behind him a chain of argument, strong even in its weakest link. To prove the existence of God and the immortality of the soul, he starts with the *internal evidence* which the mind of each man affords. Whether we regard the subject, the manner in which it is treated, or the purity of style, it must be allowed to be a noble work ; and admiration is intensified when we find a man of Brougham's intellectual powers standing out boldly to vindicate religion, and to prove that its principles are consistent with the deepest research in every branch of science.

His speeches, revised by himself, appeared in 1838, and were speedily followed by the first volume of his "Historical Sketches."\* In the Introduction to the latter work, he says that we can know but little of the affairs of nations, or of the relative value of different institutions, until we have studied the actions of the men who were entrusted with the management of public business. The series is preceded by a memoir of George III. ; and, at the foot of the throne, we are

\* Historical Sketches of Statesmen who flourished in the time of George III. London : 1839.

shown a sad example of the want of intellectual culture in one who was born to rule over millions. The elder Pitt is described by Brougham as the most successful statesman and the most brilliant orator of our country; and the great lawyer takes pleasure in recording Pitt's famous expression, when speaking of the ancient barons—

“ . . . . . who knew their rights,  
And, knowing, dared maintain them.”

“Three words of their barbarous Latin—Nullus liber homo—are worth all the classics.” Having given interesting sketches of Lords Loughborough and Thurlow, he comes to write of the first Lord Mansfield, whom he truly describes as a man adorning the high position which he occupied. It had become customary with many men, careless of their small stock of reputation, to treat the memory of Lord Mansfield with studied disrespect; Brougham labours to correct this false judgment, and he succeeds in showing that great minds may be as accurate in detail as they are powerful to deal with the most general principles. Of Burke's depth and originality of thought he evinces the highest admiration; and, doubtless, the great Irishman does deserve our applause for the eminently practical line of conduct which he pursued in preference to systematic generalization, for which his gigantic powers were so well suited. After a lengthened memoir of Erskine, great in the senate, and greater

in the forum, he speaks of Percival and Lord Grenville, and awards a high and just eulogium to the character and talents of Grattan. His sketch of Canning, whose sinewy arguments he had so frequently encountered, is extremely fair; and he describes Sir Samuel Romilly as "the first advocate and the most profound lawyer of the age in which he lived:" a subsequent sentence would almost seem to have been written *of* Brougham instead of *by* him—"Most of the reforms of which he maintained the expediency have since been adopted by the legislature." A short essay on the "Effects of Party" follows, and he considers party as a clumsy contrivance for carrying on the affairs of state; while the direction which it causes government to take is compared to the resultant of forces meeting at a point; so that Brougham does not agree with those who say that, owing to government by party, one half of the great men of each age are excluded from their country's service. He ascribes the origin of party mainly to the early struggles of the great English families against each other and against the Crown, the people being gradually drawn into the contest; and he says that two necessary evils are bound up with this system; firstly, the partial loss to their country of many able men; and, secondly, the sport which, in playing the party game, is made of the most sacred principles. In the second volume Lord Eldon comes under review, and here Brougham had a delicate duty to perform, for it is



undeniable that he had suffered grievous injustice from the man whom he succeeded as chancellor ; still, he let not this remembrance near him, and the portrait of his great predecessor is painted in true, if not flattering colours. We need not wonder that the famous judgments of Lord Stowell (Sir William Scott) call forth the admiration of the biographer ; and in the sketches of Sir Philip Francis, Lord Castlereagh, and Lord Liverpool, we at once recognize faithful likenesses. The characters of the celebrated Neckar, and his daughter Madame de Staël, are vividly portrayed, the reputation of the honest Swiss being attributed more to his unbending integrity than to any brilliant mental endowments. The inquiry as to the origin of the French Revolution of 1789, and the condition in which it found and left the country, has been read with interest and profit by many ; but as a contribution to historical research, it is far surpassed by the recent work of M. de Tocqueville\* upon the same important subject. Doubtless, Brougham was behind the “ great master of modern Political Philosophy,” but he was very far in advance of M. Monnier and those other writers who asserted that the Revolution was *caused* by financial difficulties or by the act of summoning *les états généraux*. He was too accurate an observer to imagine that

\* L’ancien Régime et la Revolution, par Alexis de Tocqueville. Cinquième édition. Paris: 1866.



the gusts which ushered in the storm were the *cause* of the fearful outburst of elements which had long howled to be free. To many people the character of Robespierre had been a sort of puzzle, for we know that he, whose name is in every line of many a bloody page, was a man whose genius alone could never fascinate a people. Brougham seeks to find the secret of his extraordinary influence, and he ascribes it to the intensity of popular excitement, which permitted him to go on, not only unchecked, but applauded, in an unbridled career of dangerous licentiousness.

In the memoir of Lord Chief Justice Bushe, Brougham alludes to the *début* of that distinguished man in the "Historical Society" of Trinity College, Dublin—"an institution famous for having trained, about the same time, Lord Plunket to that almost unrivalled excellence which he early attained, and for having at a former period fostered and exercised the genius of Grattan and Flood, and all the eminent Irish orators."

Hours gleaned from the labours of many years had been necessary for the completion of the "Lives of Statesmen," the first series of which appeared in 1839, and the last not until 1848. Meanwhile, in 1842, his indefatigable pen had given to the world his well-known "Political Philosophy," from which we can learn some facts that may be remembered both with interest and advantage. He collects evidence from early history for the

purpose of showing that, even in the most popular of the ancient democracies, those having an immediate share in the public administration formed but a small proportion of the population. The work is, in fact, a compendium of constitutional history, and from its pages we may learn the various forms of government that have obtained either in ancient or modern times.

Following chronological sequence, it is necessary to speak next of his "Lives of Men of Letters who flourished in the Reign of George III." It will be observed that this work is not exhaustive; but it was not meant to be so; and the positive merit of the memoirs which it does include makes us lament any omissions rather than condemn the work as incomplete. He remarks that the reign of George III. was the Augustan age of modern history; a statement which he supports by enumerating the statesmen, the orators, and the historians who illustrated it; and also by pointing to the giant strides made, during this period, in political science, as also in chemistry, and in mathematics, pure and applied. He first treats of Voltaire (whom Johnson describes as "*vir paucarum literarum*,") and points to many passages of real beauty in his "*Ceipe*," the promising work of a youth of eighteen summers. At the same time, he directs attention to the fact that many of the finest ideas and sentences were taken, without any acknowledgment, from the writings of Sophocles: his comedies

are entirely without merit; and Brougham accuses him of having signally failed to interpret the works of Sallust and Cæsar. The "Discours sur l'homme" does much to establish the fame of Voltaire; but while we admit its ability and its great beauty, we feel bound to say that, in our opinion, Brougham has been too lenient and too apologetic towards the French historian. Of Rousseau, he justly formed a very low opinion; and in a few pages he set down the true character of a man whom his admirers had constantly praised for his brilliant talents, but whose genius was overshadowed by his absurd and inordinate vanity. Brougham admits that he was a man of great promise; but he says that never before was so much talent united with such weakness; and he reminds us that Rousseau objected to the use of fables, "lest it might be supposed that beasts *do* speak, or that men *may* lie." Brougham says that the "Nouvelle Héloïse" was an undoubted failure, and that the "Contrat Social" proves the unfitness of the author for any political discussion. He praises the posthumous "Confessions" as a masterpiece, commending the style as being more classical than that of any other French writer.

Brougham acknowledges the obligations of mankind to Hume for the grand theories which he elaborated: but, considering the originality of thought which the great Scotchman displayed, it seems too much to accuse him of "an aversion to agree with other men." He decidedly overrates

Hume's knowledge of political economy, and this is an error which would not have been expected from Brougham. He admires the cold, majestic style of Hume, and says it is not surpassed by the best passages of Livy; and from some verified manuscripts, he shows the anxious care of the historian that his thoughts should receive correct expression: this disposes of Gibbon's eulogy of the "careless, inimitable beauties of Hume." Brougham condemns his history, as being wanting in qualities essential to the value of such a work: it would be useless to conceal that it is by no means a faithful record; and, by reference to dates, Brougham shows that it was not composed with that slow and mature deliberation which could alone ensure a full and trustworthy narrative.

Robertson wins the willing praise of Brougham by his diligence, accurate knowledge, and excellent style; and this sketch is, indeed, a masterly piece of biography. It seems to be rather incorrect to place this historian on the same high level as Hume for narration; and in preferring his "Scotland"\* to his "America"† the critic dissents from the deliberate judgment of most men. Bearing in mind the love of Brougham for the natural and physical sciences,

\* History of Scotland, during the reigns of Mary and James VI., till his accession to the Crown of England, with a review of Scottish History previous to that period. Edinburgh: 1759.

† History of America. Edinburgh: 1777.

it is to be supposed that he lingered with delight upon the labours of Black, Priestley, Cavendish, and the rest of this school; and he certainly does them ample justice. Boswell had left nothing undone for the memory of Johnson; but, nevertheless, Brougham loves to catch up the echo and award his meed of praise to the author of the "Lives of the Poets." He takes occasion to pay a high tribute to the intelligent discrimination which the University of Dublin exercised in conferring upon Johnson the honorary degree of LL.D. ten years before his alma mater, Oxford, thought of doing so.

In "Adam Smith" Brougham had a grand theme; he examines critically his great works, the "Theory of Moral Sentiments," and the "Wealth of Nations," and he succeeds in conveying a very correct estimate of the labours and character of the greatest Scotchman of any age. Of Gibbon he does not seem to have had a high opinion; and he condemns the "perpetual effort" of his style, which warred with the simpler and not less elegant mode of expression which Addison had introduced. He joins in the general condemnation of the great historian for ignoring as he did the powerful impetus which Christianity had given to civilization. In the life of D'Alembert, Brougham dilates on the pleasure afforded by the pursuits of the mathematician, and describes how "the sun goes down unperceived, and the night wanes afterwards until he again rises upon our labours." Throughout his long life he



retained his early love for the sciences ; and the best attempt to adapt the "Principia" of Newton to ordinary minds was made in 1855, by Brougham, in conjunction with Professor Routh, of the London University.

We do not often find that men much given to scientific pursuits have found time to cultivate a refined taste for the ancient classics ; and therefore it is that Brougham's translation of the Demosthenean oration, ΠΕΡΙ ΤΟΥ ΣΤΕΦΑΝΟΥ, was a truly remarkable work, demanding a few words of special consideration. He distrusted his ability to translate into English "the greatest oration of the greatest of orators;" but that he was qualified for the task is evident from the style of his work, and also from his statement that for many years he had been familiar with the immortal passages in which the "De Coronâ" abounds. The text which he followed was that of Bekker, but it will be remarked that he has taken the liberty (no trifling one, it must be admitted) of re-casting the paragraphs of that great commentator. As to the manner in which Brougham accomplished his task, we must express our conviction that he succeeded more fully than many classical scholars are willing to admit. It is true he had not the microscopic eye with which the great German critics compared the merits of the different readings ; but as a counterpoise in Brougham's favour we may urge his great experience in addressing public assemblies, and surely this was no small



advantage when it became necessary to express in another tongue the carefully-prepared words which the orator addressed to the passions and the intelligence of his auditory. His rendering of the many magnificent passages of the oration ΠΕΡΙ ΤΟΥ ΣΤΕΦΑΝΟΥ—precious gems set in purest gold—is, in general, truthful and accurate; and especial reference may be made to the thrilling outburst of eloquence in which Demosthenes replies to the supposed interrogatory εἰτά μέρωτ' ἀντι ποίας ἀρετῆς ἀξιῶ τιμασθαι; The cumulative force and massive grandeur of the original are here preserved in a manner which entitles the translator to the highest praise.

Not yet is the list of Brougham's literary works exhausted; a goodly volume remains to be noticed; one that was given to the world when the venerable author was in his eighty-second year. The "Political Philosophy" seems to have been made the foundation of his work on "The British Constitution," which may be read with great advantage, and which forms a valuable supplement to the earlier labours of Hallam, May, and Creasy. The plan of the work is to start with the germ of the Constitution, and, guiding theory in the known direction of facts, to trace the steps of its growth and development from the remote past up to "the living present." He dwells on the many solid advantages which result from mixed government, and shows how the presence of conflicting elements necessitates

the principle of mutual concession. Failing to find the representative principle in any of the ancient systems, and fully alive to its wholesome results (as shown in the British Constitution, the most perfect example of mixed government), he eulogizes it as the grand invention of modern times. He points out the many evils incident to "double election," and expresses an opinion strongly adverse to the ballot. Respecting the restraints on voting, he has some pointed observations, and says that, in adopting wealth as our standard of respectability, we act in a very inconsistent manner, unless we are also prepared to adopt the principle—"once a voter, always a voter." He traces the slow growth of the British Constitution during the reigns of the Plantagenets and Tudors, and enumerates the many important measures which adorn the Statute-book of the reign of Charles II. Were not the inquiry foreign to our task, it would be interesting to examine how it was that such a brilliant series of enactments could have been passed at a time when an exceedingly low tone of morality pervaded all classes of society.

Our labour now draws to a close. The records of Brougham's public actions and the memorials of his private worth are a rich legacy to us, his posterity; and even by such a hasty summary of the most notable events in his career, we may learn how valuable is the bequest which Henry Brougham has left to the children of his country. The story of his life is, from the beginning, rich in moral

lessons. The indomitable perseverance which he brought to the accomplishment of every task which it became his duty to undertake is worthy the imitation of all who would aid the true object of human labour—the regeneration of the social position of man, his advancement, and ultimate repose in the glory of universal civilization. In the purity and earnestness of purpose which distinguished Brougham we discover the trait which first wins to his memory our sincere approbation, to be strengthened as we dwell upon each such successive epoch of his life. It is impossible to compass within the limits of an essay all that claims recognition in such a long and active career. He had lived to be almost his own posterity ; to hear his own praises sung by men who heard of the deeds he had wrought in the days when their fathers were but students—many, many years before.

Ours will not have been an idle labour if it serve to call to energy one latent, undeveloped talent, or to arouse a sense of those principles of rectitude which can alone summon men to the noblest exercise of their abilities. We have told how the powers of the great man were devoted to the service, not only of his country, but of the world. Such labours, though lengthened, could not for ever fight the battles of the slave, the ignorant, and the oppressed. Gradually the light grew dim ; the giant intellect rested, and calmly surveyed the victories it had achieved. Men thought he



3 0112 072463216

slept. 'Twas true ! Death, which had long stood at respectful distance, touched him at length with gentle hand, and he passed away in his sleep to the bright reward which awaits the virtuous and the good. He sleeps, but still he lives. Henry Brougham lives in the memory of his countrymen; in the pages of the world's history; in his own actions : his name will be recorded in the bright annals of social advancement, and shall be transmitted from generation to generation as a noble example for the honest and pure of mind in every age to emulate.

THE END.